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CAMPBELL SOUP COMPANY
7 AND PEPPERIDGE FARM, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 DENISE CLEVELAND AND LANNA
RAINWATER, on behalf of themselves and all
12 others similarly situated,

13
14 Plaintiffs,

v.

15 CAMPBELL SOUP COMPANY AND
16 PEPPERIDGE FARM, INC.,

17 Defendants.
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Case No. 3:21-cv-06002-JCS

**STIPULATION FOR EXTENSION OF
TIME TO RESPOND TO FIRST
AMENDED COMPLAINT AND TO SET A
BRIEFING SCHEDULE FOR A MOTION
TO DISMISS; DECLARATION OF DALE
J. GIALI IN SUPPORT**

[proposed order submitted separately]

Current response date: Apr. 28, 2022
New response date: May 16, 2022

1 Pursuant to Civil Local Rule 6-2, Plaintiffs Denise Cleveland and Lanna Rainwater
2 (“Plaintiffs”) and Defendants Campbell Soup Company and Pepperidge Farm, Incorporated
3 (“Defendants”) (collectively, the “parties”), hereby stipulate to extend the time for Defendants to
4 answer or otherwise respond to the first amended complaint in this matter up to and including
5 May 16, 2022, and to set a briefing scheduled on an anticipated motion to dismiss. In support
6 thereof, the parties state as follows:

7 WHEREAS, on August 3, 2021, Defendants removed this action to this Court;

8 WHEREAS, the parties stipulated to an extension to Defendants’ deadline to answer or
9 otherwise respond to the initial complaint, such that Defendants’ response was due on or before
10 August 31, 2021 (ECF #7);

11 WHEREAS, on August 31, 2021, Defendants responded to the initial complaint by
12 motion (ECF #26);

13 WHEREAS, on March 25, 2021, following full briefing and a hearing on Defendants’
14 motion, the Court issued a minute order permitting Plaintiffs to file an amended complaint by
15 April 15, 2022 (in lieu of the Court issuing a ruling on Defendants’ motion to dismiss) (ECF
16 #48);

17 WHEREAS, on April 14, 2022, Plaintiffs filed a first amended complaint (ECF #51);

18 WHEREAS, based on the April 14 filing, Defendants’ response to the first amended
19 complaint is due by April 28, 2022;

20 WHEREAS, to provide sufficient time for Defendants to consider the first amended
21 complaint and prepare an appropriate response that thoughtfully and efficiently presents
22 appropriate legal issues and argument to the Court, Defendants desire thirty days (rather than
23 two-weeks) to respond to the first amended complaint;

24 WHEREAS, Plaintiffs are agreeable to the extension;

25 WHEREAS, it is Defendants’ present intention to file a motion to dismiss the first
26 amended complaint and it is the parties’ belief that it is efficient to agree now to a briefing
27 schedule on the anticipated motion; and
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1 WHEREAS, the extensions agreed to herein will not alter the date of any event or any
 2 deadline already fixed by Court order, and this extension is not sought for delay or any other
 3 improper purpose.

4 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties,
 5 through their respective counsel, that Defendants shall answer or otherwise respond to the first
 6 amended complaint on or before May 16, 2022; that Plaintiffs shall oppose any motion filed by
 7 Defendants on or before June 15, 2022; and that Defendants shall file any reply memorandum in
 8 support of any motion they file on or before June 29, 2022. The hearing on the motion shall be
 9 set for July 21, 2022 at 10:00 a.m. (or for the next available hearing date on the Court's
 10 calendar).

11 Dated: April 15, 2022

MAYER BROWN LLP
 Dale J. Giali
 Keri E. Borders
 Rebecca B. Johns

14 by: /s/ Dale J. Giali
 Dale J. Giali
 Attorneys for Defendants
 CAMPBELL SOUP COMPANY AND
 16 PEPPERIDGE FARM, INC.

18 Dated: April 15, 2022

FEINSTEIN DOYLE PAYNE & KRAVEC,
 LLC
 Wyatt A. Lison
 Joseph N. Kravec, Jr.

21 By: /s/ Joseph N. Kravec
 Joseph N. Kravec
 Attorneys for Plaintiffs
 22 DENISE CLEVELAND AND
 23 LANNA RAINWATER

24 ATTESTATION

25 I, Dale J. Giali, hereby attest, pursuant to Civil Local Rule 5-1(i)(3), that concurrence in
 26 the filing of this document has been obtained from each signatory.

27 By: /s/ Dale J. Giali
 28 Dale J. Giali

DECLARATION OF DALE J. GIALI

I, Dale J. Giali, hereby declare, under penalty of perjury and pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner with the law firm of Mayer Brown LLP, counsel of record for Defendants Campbell Soup Company and Pepperidge Farm, Incorporated in the above-captioned matter. I am admitted to practice before this Court. I have personal knowledge of the facts asserted in this declaration, and could and would competently testify to them if called as a witness.

2. April 14, 2022, Plaintiffs filed a first amended complaint (ECF #51).

3. Based on the April 14 filing, Defendants' response to the first amended complaint is due by April 28, 2022.

4. To provide sufficient time for Defendants to consider the first amended complaint and prepare an appropriate response that thoughtfully and efficiently presents the legal issues and arguments to the Court, Defendants desire 30 days (rather than two-weeks) to respond to the first amended complaint.

5. Plaintiffs are agreeable to the extension.

6. It is Defendants' present intention to file a motion to dismiss the first amended complaint and the parties believe it efficient at this time to agree to a briefing schedule on the anticipated motion, and the parties have agreed on:

- Defendants shall answer or otherwise respond to the first amended complaint on or before May 16, 2022;
- Plaintiffs shall oppose any motion filed by Defendants on or before June 15, 2022;
- Defendants shall file any reply memorandum in support of any motion they file on or before June 29, 2022; and
- The hearing on the motion shall be set for July 21, 2022 at 10:00 a.m. or for the next available hearing date on the Court's calendar.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

By: /s/ Dale J. Giali
Dale J. Giali